

No. 2017-449-C2

Ann Joseph

STATE OF TEXAS

§

IN THE DISTRICT COURT

§

FILED IN

VS.

§

10th COURT OF APPEALS

§

McLENNAN COUNTY, TEXAS

IJAH IWASEY BALTIMORE

§

6/12/2019 12:28:00 PM

54TH JUDICIAL DISTRICT

Clerk

NOTICE OF APPEAL

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Defendant IJAH IWASEY BALTIMORE, in the above styled and numbered cause and would show the Court as follows:

I.

That on the 11th day of June, 2019, judgment and imposition of sentence was entered against the Defendant in the above styled and numbered cause.

II.

The Defendant in the above cause, hereby gives Notice of Appeal from the Judgment and Sentence entered in the above entitled and numbered cause to the Court of Appeals for the 10th Supreme Judicial District of Texas, at Waco, Texas.

Respectfully submitted,

Samuel Martinez
1105 Wooded Acres, Suite 200
Wells Fargo Bank Plaza
Waco, Texas 76710
Telephone: (254) 776-9700
Fax: (254) 741-1894
smartinez3505@yahoo.com

BY: /s/ Samuel Martinez
Samuel Martinez
State Bar No. 24034556

CERTIFICATE OF SERVICE

I hereby certify that on June 12, 2019, a copy of the foregoing Notice of Appeal has been delivered to the McLennan County District Attorney's Office, 219 North Sixth Street, Suite 200, Waco, Texas 76701.

/s/ Samuel Martinez
Samuel Martinez

NO. 2017-449 C2

THE STATE OF TEXAS

IN THE 54TH DISTRICT COURT

VS.

OF

Ijah Baltimore

MCLENNAN COUNTY, TEXAS

TRIAL COURT'S CERTIFICATION OF DEFENDANT'S RIGHT OF APPEAL

I, Judge of the trial court, certify this criminal case:

- ☒ is not a plea-bargain case, and the defendant has the right of appeal. [OR]
- ☐ is a plea-bargain case, but matters were raised by written motion filed and ruled on before trial and not withdrawn or waived, and the defendant has the right of appeal. [OR]
- ☐ is a plea-bargain case, but the trial court has given permission to appeal, and the defendant has the right of appeal. [OR]
- ☐ is a plea-bargain case, and the defendant has NO right of appeal. [OR]
- ☐ the defendant has waived the right of appeal.

Judge

Date Signed

I, the defendant, have received a copy of this certification. I have also been informed of my rights concerning any appeal of this criminal case, including any right to file a *pro se* petition for discretionary review pursuant to Rule 68 of the Texas Rules of Appellate Procedure. I have been admonished that my attorney must mail a copy of the court of appeals's judgment and opinion to my last known address and that I have only 30 days in which to file a *pro se* petition for discretionary review in the Court of Criminal Appeals. Tex. R. App. P. 68.2. I acknowledge that, if I wish to appeal this case and if I am entitled to do so, it is my duty to inform my appellate attorney, by written communication, of any change in the address at which I am currently living or any change in my current prison unit. I understand that, because of appellate deadlines, if I fail to timely inform my appellate attorney of any change in my address, I may lose the opportunity to file a *pro se* petition for discretionary review.

Defendant

Defense Attorney

SBOT # 24034556

Mailing address:

Mailing Address:

Telephone #:

Telephone #:

Fax #:

Fax #:

A defendant in a criminal case has the right of appeal under these rules. The trial court shall enter a certification of the defendant's right to appeal in every case in which it enters a judgment of guilt or other appealable order. In a plea bargain case—that is, a case in which a defendant's plea was guilty or nolo contendere and the punishment did not exceed the punishment recommended by the prosecutor and agreed to by the defendant—a defendant may appeal only: (A) those matters that were raised by written motion filed and ruled on before trial, or (B) after getting the trial court's permission to appeal." TEXAS RULE OF APPELLATE PROCEDURE 25.2(a)(2).

Effective October 1, 2011.

CAUSE NO. **2017-449-C2**

THE STATE OF TEXAS

IN THE **54TH** DISTRICT COURT

VS.

OF

IJAH IWASEY BALTIMORE

MCLENNAN COUNTY, TEXAS

Please complete the following:

Date of Judgment or Other Order Appealed From: **JUNE 11, 2019**

Name of Trial Court Judge: **HONORABLE MATT JOHNSON**

Name of Court Reporter: **HEATHER WEISER & REBECCA RIVERA**

Name and Address of Defense Attorney on Appeal: **SAMUEL MARTINEZ
1105 WOODED ACRES, SUITE 200
WELLS FARGO BANK PLAZA
WACO, TEXAS 76710
SBN 24034556**

Defense Attorney on Appeal: **RETAINED**

Name and Address of Attorney(s) for the State on Appeal: **BARRY JOHNSON
COURTHOUSE ANNEX
219 NORTH 6TH STREET
SUITE 200
WACO, TX 76701**

Defendant Incarcerated?: **YES**

Appeal Bond: **NO**

Plea: **NOT GUILTY**

Before: **JURY**

Offense: **UNLAWFUL CARRYING OF A WEAPON - 46.02, TEXAS PENAL CODE**

Punishment Assessed: **CONFINEMENT IN THE TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, INSTITUTIONAL DIVISION FOR A PERIOD OF FOUR (4)
YEARS**

By:

JON R. GIMBLE
Clerk, District Courts
McLennan County, Texas

By:


Deputy

CC: **2017-449-C2**
Appeals Clerk*